



December 14, 2006

VIA U.P.S. OVERNIGHT

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Office of Proceedings

DEC 15 2006

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Public Record



Mr. Vernon Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

**RE: Proposed Abandonment of the Waxahachie Industrial Lead from
Milepost 798.03 to Milepost 802.60, a distance of 4.57 miles
in Ellis County, Texas; STB Docket No. AB-33 (Sub-No. 229X)**

Dear Mr. Williams:

The Union Pacific Railroad Company, (Union Pacific), has received a request from the City of Waxahachie, Texas, for a 60 day extension of its Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Waxahachie Industrial Lead from M.P. 798.03 near Waxahachie to M.P. 802.60 near Nena, a distance of 4.57 miles in Ellis County, Texas.

The Union Pacific is willing to continue negotiating with the City of Waxahachie concerning the acquisition of the subject property for trail use and supports the City of Waxahachie's request to negotiate for an additional 60 day period. Union Pacific and the City are very close to finalizing the transaction. A copy of the City of Waxahachie's request is attached hereto as Exhibit "A" and hereby made a part hereof.

Ten (10) additional copies of this letter and exhibit are enclosed for the Board's use and distribution.

Very truly yours,

Enclosures

cc: City of Waxahachie

Toleda Stokes (STB)
<202/565-9004>

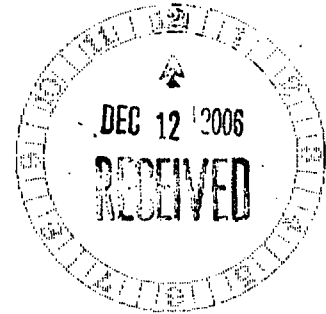
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Mack H. Shumate, Jr.
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065

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BEFORE THE
SURFACE TRANSPORTATION BOARD



UNION PACIFIC RAILROAD COMPANY	§	
ABANDONMENT EXEMPTION	§	DOCKET NO. AB-33
IN ELLIS COUNTY, TEXAS	§	(SUB-NO. 229X)
(WAXAHACHIE INDUSTRIAL LEAD)	§	

PETITION FOR EXTENSION OF
NOTICE OF INTERIM TRAIL USE

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218260

CITY OF WAXAHACHIE, TEXAS
401 S. Rogers
Waxahachie, Texas 75165

Proposed Trail User

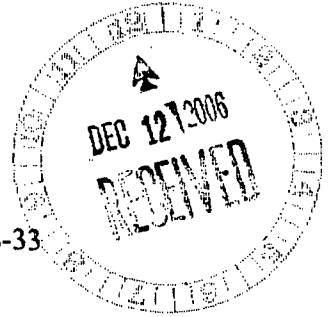
CHAPMAN & CHAPMAN LLP
JAMES S. CHAPMAN
P.O. Box 641
Waxahachie, Texas 75168
(972) 938-2720
(972) 937-9446 (fax)

Attorney for Proposed Trail User

BEFORE THE
SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY §
ABANDONMENT EXEMPTION §
IN ELLIS COUNTY, TEXAS §
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO. AB-33
(SUB-NO. 229X)



**PETITION FOR EXTENSION FOR OF
NOTICE OF INTERIM TRAIL USE**

BACKGROUND

On February 1, 2006 the Surface Transportation Board ("Board") issued a Decision and Notice of Interim Trail Use or Abandonment the City of Waxahachie, Texas ("City") and Union Pacific Railroad Company ("UP") for the City and UP to be able to negotiate an agreement for interim trail use/railbanking for the Waxahachie Industrial Lead by July 31, 2006.

On July 28, 2006, the Board issued a Decision extending the NITU negotiating period to October 29, 2006. On October 27, 2006, the Board issued a Decision extending the NITU negotiating period to December 28, 2006.

The parties have negotiated in good faith and have reached an agreement. It is anticipated that additional time will be needed to formalize the contract, obtain the requisite appraisals and complete the transaction. An additional sixty (60) days should be sufficient.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, it is requested that the Board should issue a sixty (60) day extension for Notice of Trail Interim Use authorizing the City and UP to negotiate for rail banking, interim

recreational trail use and potential acquisition in fee of the right-of-way involved in this proceeding.

CITY OF WAXAHACHIE, TEXAS
401 S. Rogers
Waxahachie, Texas 75165

Proposed Trail User

CHAPMAN & CHAPMAN LLP
P.O. Box 641
Waxahachie, Texas 75168
(972) 938-2720
(972) 937-9446 (fax)


JAMES S. CHAPMAN

Attorney for Proposed Trail User